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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

ANDREW E. PHELPS
STEVEN F. WEISS

Serial No.: 010/007,625

Filed: November 2, 2001

For: DESIGN VERIFICATION

Group Art Unit:

Examiner:

Atty. Dkt. No.: 2070.004900/P6765

Confirmation No. 9969

RESPONSE TO 37 C.F.R. § 1.53(F) NOTICE

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

| CERTIFICATE OF MAILING 37 C.F.R. 1.8 | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below: | |
| February 8, 2002 Date | <i>Sharon U. Hart</i> Signature |

In response to the Notice to File Missing Parts of Application Under 37 C.F.R. § 1.53(f), dated December 28, 2001, there are enclosed herewith:

- (a) Declaration executed on behalf of Andrew E. Phelps and Steven F. Weiss;
- (b) Power of Attorney on behalf of Andrew E. Phelps and Steven F. Weiss;
- (c) Preliminary Amendment; and
- (d) A copy of Notice to File Missing Parts of Application-Filing Date Granted; and

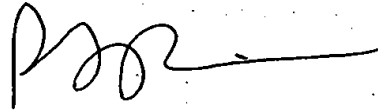
An Assignment to Sun Microsystems, Inc. is being filed under separate cover.

The Assistant Commissioner is authorized to deduct the \$130.00 fee required under 37 C.F.R. 1.16(e), and any other fees required under 37 C.F.R. §§ 1.16 to 1.21 from the Williams, Morgan & Amerson, P.C.'s Deposit Account No. 50-0786/2070.004900/P6765.

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Please date stamp and return the accompanying postcard to evidence receipt of these documents.

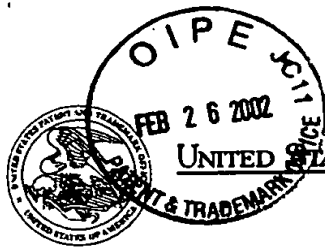
Respectfully submitted,



Date: February 8, 2002

Ruben S. Bains
Reg. No. 46,532
WILLIAMS, MORGAN & AMERSON
7676 Hillmont, Suite 250
Houston, Texas 77040
(713) 934-4064
(713) 934-7011 (facsimile)

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY/DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/007,625 | 11/02/2001 | Andrew E. Phelps | 2070.004900/P6765 |

CONFIRMATION NO. 9969

FORMALITIES LETTER



Ruben S. Bains, Williams,
Morgan & Amerson, P.C.
Suite 250
7676 Hillmont
Houston, TX 77040

Date Mailed: 12/28/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/26/2002 SSALEKU 00000008 500786 10007625

FILED UNDER 37 CFR 1.53(b)

01 FC:101 740.00 CH
02 FC:102 84.00 CH
03 FC:103 72.00 CH

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$156.
 - \$72 for 4 total claims over 20.
 - \$84 for 1 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1026.

03/04/2002 MAHNE1 00000115 500786 10007625

01 FC:105 130.00 CH

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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